

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA  
MIDDLE DIVISION

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U.S. DISTRICT COURT  
MIDDLE DISTRICT ALA

LILLIAN FRIESON, Pro Se.  
Plaintiff

vs.

CIVIL ACTION NO. 2:06cv787-MHT  
Jury Demand

RICHARD N. SMITH ESTATE  
ELOISE M. SMITH, and  
Defendants.

COMPLAIN  
Jurisdiction

The jurisdiction of this Court is involved under diversity of citizenship only. In that Defendant Eloise M. Smith and Richard N. Smith lives in another State (Pensacola Florida) and was charged with causing automobile accident and given a ticket for careless driving / drinking alcohol that caused damages and lost in excess now of ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) and continue to rise.

Parties

1. Plaintiff Lillian Frieson is / was a resident of Mobile, Mobile County Alabama.
2. Defendant Eloise M. Smith is a resident of Pensacola Florida.
3. Defendant Richard N. Smith (deceased) estates /heirs:

Stephanie Gail Smith Sahr, Pace, Florida and Susan Michele Smith Sedig

Count I  
Negligence

1. On or about September 4, 2002 upon a public road to - wi, on U.S. Alt 90 at the intersection at Pine Forest Road in Pensacola Florida Escambia County, Defendant

Richard N. Smith and Eloise M. Smith negligently caused or allowed a motor vehicle owned by him and/ or Eloise M. Smith, of which Defendant Richard N. Smith was the driver, to strike Plaintiff Lillian Frieson in the rear of her automobile while waiting for the traffic light to turn green.

2. As a proximate and direct consequence of Defendants Richard N. Smith and Eloise M. Smith said negligence, Plaintiff Lillian Frieson suffered personal injuries, and damages for which she seeks compensation.

Count II  
Negligent Entrustment

Plaintiff avers that Defendant Eloise M. Smith was the owner of / and insured of the automobile driven by Defendant Richard N. Smith who had been drinking alcohol that caused the accident, and Richard N. Smith was charged with only careless driving, he was not given a sobriety test by Pensacola Florida highway Patrol who assured Plaintiff they was going to give Richard N. Smith a sobriety test.

Plaintiff avers that Defendant Eloise M. Smith was negligent in allowing Defendant Richard N. Smith the use and operation of her motor vehicle in that Eloise M. Smith knew he (Richard N. Smith) had been drinking alcohol and was incompetent to operate a motor vehicle in that he is a reckless and careless driver who put my life in danger.

Plaintiff further avers that Defendant Eloise M. Smith entrustment of her automobile to Defendant Richard N. Smith directly and proximately resulted in the Plaintiff injuries, lost, and damages.

WHEREFORE, premises considered Plaintiff Lillian Frieson demands judgment against Defendants Eloise M. Smith, and Richard N. Smith estate in the amount of ONE

HUNDRED THOUSAND DOLLARS (\$100,000.00) plus interest and the costs of this action.

Respectfully submitted



Lillian Frieson

P.O. Box 794

Monroeville, AL. 36461

251-743-2544

Defendants can be served as follows:

Eloise M. Smith  
3237 Tallship Lane  
Pensacola, FL. 32526

Richard N. Smith Estate  
Stephanie Gail Smith Sahr  
4260 Highway 90 Apt. 68  
Pace, Florida 32571

Susan Michele Smith Sedig  
9437 County Road # 64  
Daphne, AL. 36526

  
LILLIAN FRIESON, Pro Se.